

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA

v.

RALPH T. O'NEAL

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No. 3:08-CR-107  
(Phillips)

**ORDER**

There being no timely objection by defendant, see 28 U.S.C. § 636(b)(1), and the court being in complete agreement with the magistrate judge, the Report and Recommendation (R&R) [Doc. 209] filed by the Honorable C. Clifford Shirley, United States Magistrate Judge, on July 10, 2009, is hereby **ACCEPTED IN WHOLE** whereby the defendant's motion to dismiss [Doc. 167] and defendant's oral motion to dismiss made at the June 24, 2009 hearing are **DENIED**.

**IT IS SO ORDERED.**

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge